

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 23-20152

v.

HON. MARK A. GOLDSMITH

JACK EUGENE CARPENTER, III,

Defendant.

\_\_\_\_\_ /

**Defendant's Response in Opposition to  
Government's Motion for a Competency Evaluation**

For the reasons stated below, Defendant Jack Carpenter, through his counsel, asks this court to deny the Government's Motion for a Competency Evaluation. If the court does grant the Government's Motion over Mr. Carpenter's objection, the defense asks the court to delay commitment of Mr. Carpenter to the custody of the Attorney General for a period of 60 days, to permit the defense team time to complete ongoing meetings with the defendant and consultations with defense experts.

The government attorneys seek a competency evaluation because they state they have a "good faith doubt" as to the defendant's competence. (Gov't Mot., ECF No. 20, PageID.47); *see also United States v. Jackson*, 179 F. App'x 921, 933 (6th Cir. 2006) (unpublished). Alternatively, they appear to argue that they have

“reasonable cause to believe that the defendant is incompetent to stand trial”, (Govt Mot., ECF No. 20, PageID. 48); *see United States v. White*, 887 F.2d 705, 709 (6th Cir. 1989), and that “the evidence raises a sufficient doubt as to a defendant’s competence to stand trial,” (Gov’t Mot., ECF No. 20, PageID. 48); *see White*, 887 F.2d at 709. The purported evidence that the government raises in support of this conclusion are:

- Mr. Carpenter’s purported belief in Tarot card reading;
- Mr. Carpenter’s purported belief that political groups (here, Zionist Jews and Mossad, the national intelligence agency of Israel) introduced the COVID virus as a biological weapon;
- Mr. Carpenter’s purported belief that these same political groups have covertly infiltrated American politics at local, state and federal levels;
- Mr. Carpenter’s purported belief that he has the authority, under a theory akin to that espoused by the “sovereign citizenship” movement, that he can declare his own sovereign nation and territory not subject to U.S. laws; and
- A purported but undocumented and speculative history of mental illness in his family.

(Gov’t Motion, ECF No. 20, PageID. 48-49).

Respectfully, Mr. Carpenter and defense counsel respond that none of these allegations, on their own or in combination, provide “good faith” or “sufficient

doubt” as to Mr. Carpenter’s competence to stand trial, nor “reasonable cause” to believe that he is incompetent.

**Without taking any position as to whether these purported facts are true, or whether such beliefs are rational or correct,** the defense points out that many, many Americans who are not suspected of mental illness or legal incompetence espouse some or all of these beliefs.

The industry research report service IBISWorld estimates that the Psychic Services industry in the U.S., which includes palm reading, astrology, aura readings, cartomancy (e.g., tarot card reading) and mediumship, employed approximately 90,000 Americans and generated \$2.2 billion in total revenue in 2021, with a projected 2.6% annual growth. See [perma.cc/T4J5-KDY6](https://perma.cc/T4J5-KDY6).

The theory that the COVID virus was man-made has been intensely scrutinized by various federal agencies, including the National Intelligence Council, and at least two federal agencies (the FBI and the Department of Energy) have made tentative conclusions that the virus originated in the laboratory of a nation with potentially adverse political interests to the United States. See “Lab Leak Most Likely Caused Pandemic, Energy Dept. Says”, N.Y.Times, Feb. 26, 2023, available at [www.nytimes.com/2023/02/26/us/politics/china-lab-leak-coronavirus-pandemic.html](https://www.nytimes.com/2023/02/26/us/politics/china-lab-leak-coronavirus-pandemic.html) (last accessed Mar. 28, 2023) (paywall); see also Office of the Director of National Intelligence, “Updated Assessment on Covid-19 Origins”, available at [perma.cc/AJX3-CJK5](https://perma.cc/AJX3-CJK5). Indeed, various officials and media sources

around the world have accused other nations as producing the Covid-19 virus as a biological weapon. *See* “COVID-19 Pandemic Origins: Bioweapons and the History of Laboratory Leaks,” *South Med. J.* 2021 Aug 114(8):465-467, available at [www.ncbi.nlm.nih.gov/pmc/articles/PMC8300139](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC8300139) (last accessed Mar. 28, 2023) (Chinese spokesperson suggested virus brought to Wuhan by US military; US senator suggested virus resulted from botched Chinese bioweapons program; Palestinian media argued that virus was biological weapon used by US and Israel against China and Iran). Even a sitting U.S. President made public comments that he defended as necessary to counter statements by Chinese officials that the American military caused the outbreak. *See* “Trump Defends Using ‘Chinese Virus’ Label, Ignoring Growing Criticism,” *N.Y. Times*, March 18, 2020, available at [www.nytimes.com/2020/03/18/us/politics/china-virus.html](http://www.nytimes.com/2020/03/18/us/politics/china-virus.html) (last accessed Mar. 28, 2023) (paywall).

In the modern era, there have been many examples of foreign intelligence agencies securing agents in deep cover in foreign countries. Kim Philby, a high-ranking member of MI-6 who was knighted by King George VI, turned out to be a double agent for the Soviet Union. *See* [en.wikipedia.org/wiki/Kim\\_Philby](https://en.wikipedia.org/wiki/Kim_Philby) (last accessed Mar. 28, 2023). Similarly, Robert Hanssen and Aldrich Ames are just two examples of United States intelligence agents convicted of espionage on behalf of the former Soviet Union listed on the FBI’s own list of major counterintelligence cases. *See* [www.fbi.gov/investigate/counterintelligence/major-cases](https://www.fbi.gov/investigate/counterintelligence/major-cases) (last accessed

Mar. 28, 2023). Specifically in regards to Israel's Mossad, a Netflix miniseries entitled *The Spy* was released in 2019, starring Sacha Baron Cohen and telling the true story of Eli Cohen, an Egyptian-born Mossad agent who took on a false identity and infiltrated the Syrian Ministry of Defense. See [en.wikipedia.org/wiki/The\\_Spy\\_\(TV\\_miniseries\)](https://en.wikipedia.org/wiki/The_Spy_(TV_miniseries)) (last accessed Mar. 28, 2023); see also [en.wikipedia.org/wiki/Eli\\_Cohen](https://en.wikipedia.org/wiki/Eli_Cohen) (last accessed Mar. 28, 2023). Even more famously, the highly fictionalized television series *The Americans* draws plot elements from the "Illegals Program", a real-world network of sleeper spies planted in the U.S. by Russian intelligence who lived for years as apparent American intellectuals and policymakers before being uncovered and prosecuted as the result of a multi-year FBI investigation. See [en.wikipedia.org/wiki/Illegals\\_Program](https://en.wikipedia.org/wiki/Illegals_Program) (last accessed Mar. 28, 2023).

The sovereign citizens movement has, in recent years, become tied up with the QAnon movement. As of February 2022, the Public Religion Research Institute conducted a survey that reported to find that 16% of Americans, including 25% of those self-identifying as Republicans, are believers in QAnon theories. See [perma.cc/7NZD-S72V](https://perma.cc/7NZD-S72V). Furthermore, a study published by the Journal of the American Academy of Psychiatry and the Law concluded that "sovereign citizens typically have the capacity to understand criminal proceedings and assist an attorney." See George Parker, "Competence to stand trial evaluations of sovereign citizens: a case series and primer of odd political and legal beliefs," J. Am. Acad.

Psychiatry Law 2014; 42(1):338-49, available at [pubmed.ncbi.nlm.nih.gov/25187287](https://pubmed.ncbi.nlm.nih.gov/25187287) (last accessed Mar. 28, 2023).

Finally, the statement that “schizophrenia sometimes runs in families” does not mean that schizophrenia is exclusively hereditary or a guaranteed genetic inheritance. Moreover, there is no documented evidence provided by the Government to confirm Mr. Carpenter’s grandmother was ever diagnosed. Nor is Mr. Carpenter’s mother a psychiatrist.

In fact, there is no indication that Mr. Carpenter himself has ever been diagnosed with any mental illness, let alone schizophrenia. In any event, a mental illness diagnosis, even one of schizophrenia, does not automatically equate to legal incompetence.

Given the totality of the allegations, the defense respectfully submits that while Mr. Carpenter’s purported views may be viewed as offensive or irrational by many, they do not, individually or viewed as a whole, constitute sufficient cause to believe that Mr. Carpenter is legally incompetent. (If that were the case, then a very substantial percentage of Americans in today’s political and cultural landscape would have to also be assumed to be legally incompetent.) For these reasons, the defense asks this court to deny the Government’s Motion at this time.

The government has been previously informed by defense counsel that private consultations with defense experts are ongoing to assist in Mr. Carpenter’s defense. If the court is inclined to grant the Government’s Motion, the defense asks that the

court delay committing Mr. Carpenter to the Department of Justice until those consultations are complete. The defense is confident these consultations will be completed within 60 days. The Government has indicated to the defense that it would not object to such a delay.

Respectfully submitted,

**FEDERAL COMMUNITY DEFENDER  
EASTERN DISTRICT OF MICHIGAN**

s/Jean Pierre Nogues

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Dated: March 28, 2023

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 28, 2023, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Hank Moon  
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Dated: March 28, 2023